

Attorney Docket No. 99-820

**REMARKS**

Claims 1-43 are pending.

Applicants thank the Examiner for the indication that claims 18-25 and 35 are allowable and that claims 27, 29, and 31-34 contain allowable subject matter.

The Final Office Action rejected claims 1-8, 10, 12-17, and 42-43 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,308,199 ("Katsurabayashi") in view of U.S. Patent No. 5,758,110 ("Boss"). The Final Office Action further rejected claims 26 and 28 under 35 U.S.C. § 103(a) as obvious over Katsurabayashi in view of U.S. Patent No. 5,907,324 ("Larson"). The Final Office Action further rejected claims 30 and 36-41 under 35 U.S.C. § 103(a) as obvious over Katsurabayashi in view of U.S. Patent No. 5,790,127 ("Anderson"). For the reasons stated below, Applicants respectfully traverse the Examiner's rejections of claims 1-17, 26, 28, 30, and 36-43, and request reconsideration of the claim rejections set forth in the Final Office Action.

**Rejection of Claims 1-8, 10, 12-17, and 42-43 Over Katsurabayashi and Boss**

Claims 1-8, 10, 12-17, and 42-43 were rejected under 35 U.S.C. § 103(a) as obvious over Katsurabayashi in view of Boss.

**Claims 1-13**

Independent claims 1-2 recite selecting a document or documents "to be shared by the host user." Independent claim 7 recites "selecting by the host user the document". Similarly, independent claim 8 recites determining if a file associated with an application program has been selected and, if so, "providing a share view menu." The Final Office Action rejects these claim limitations by stating that "claim 1's 'sharing between a host user and at least one audience member' follows in the teaching of Katsurabayashi, in that 'selecting the at least one audience member' reads upon selecting a window's display status for individual users." In Remarks filed April 30, 2004 (hereinafter "Prior Remarks"), Applicants argued that the Examiner failed to address these claim limitations. In the Final Office Action (page 9), the Examiner responded that "The intent of relying on Katsurabayashi . . . was to enable shared access to a single window session on

Attorney Docket No. 99-820

multiple workstations. When this connection is made, then a single instance, opened on a single file or document, will then be created.”

The Examiner’s response clearly concedes that Katsurabayashi does not explicitly teach the recited selection of a document or documents, and appears to argue that selecting a document is inherent in “a single window session on multiple workstations.” Applicants respectfully disagree; the Examiner has provided no reason why “a single window instance” must necessarily be “opened on a single file or document.” Moreover, “a single window instance” could surely be opened in numerous ways not requiring or using “a file or document”, such as using an object maintained only in volatile memory.

In fact, Katsurabayashi plainly teaches, at most, determining which windows in an application that a user should see, rather than determining a selection of documents or files to be displayed. (See Abstract.) That is, Katsurabayashi is directed, at most, to allowing users to share an application, not to allowing users to share selected files and/or documents within an application.

Further, as Applicants argued in the Prior Remarks, even if Katsurabayashi did teach sharing selected documents and files, it is clear that any such selection would occur *after* a connection between the host and a client or clients had been established. That is, the mechanisms disclosed by Katsurabayashi for selecting windows for display to different users are applied when an application capable of receiving sharing events is already running in a local computer. (Katsurabayashi, 3: 65 – 4: 3.) Claims 1-2 and 7-8, in contrast, recite selecting a file or document and *then* establishing a shared viewing thereof. As the Specification (page 2, line 22 – page 3, line 2) explains, this feature of the present invention, by allowing application programs to be minimally shared, provides a significant advantage over the teachings of the prior art.

The Examiner, on the other hand, contends that the claims make “no mention of the particular connection sequence in which the software interacts with the actual network in making the call.” (Final Office Action, page 9.) The Examiner appears to be basing his contention on the fact that the claims do not explicitly recite that real-time shared viewing is established *after* a document is selected. However, this sequence is clear from the face of the claim language. Representative claim 1, for example, recites three steps: (1) selecting at least one document to be shared; (2) selecting at least one

Attorney Docket No. 99-820

audience member with whom to share the document; and (3) establishing a real-time shared viewing of the document between the audience member and the host user. The third step plainly requires, *inter alia*, that the document to be shared has already been selected; otherwise, the recited method would not be able to establish a shared viewing of the document.

The Examiner has conceded that Katsurabayashi does not teach selecting a document to be shared and then establishing a real-time shared viewing of the document. Indeed, as noted above, Katsurabayashi does not teach the shared viewing of a document at all. Accordingly, Applicants respectfully request withdrawal of the rejections of claims 1-2 and 7-8 set forth in the Final Office Action.

For at least the foregoing reasons, claims 1-2 and 7-8 as well as dependent claims 3-6 and 9-13, depending respectively therefrom, are in condition for allowance.

Dependent Claim 10

Claim 10, which depends from claim 8, recites "a participant list associated with the share view menu in response to the selection of the file." As argued in the Prior Remarks, assuming *arguendo* that the Examiner correctly states (Final Office Action, page 5) that "[t]he 'participant list' of claim 10 . . . is characteristic of Katsurabayashi's management table contents", the Final Office Action simply does not address claim 10's requirement that the participant be "associated with the share view menu in response to the selection of the file." The Examiner in response (Final Office Action, page 9) contends that "in the Katsurabayashi table, sharing participants are indeed associated with a 'menu' that indicates their ability to 'view', when taken in view of Boss's host user selection interface."

Thus, the Examiner appears to newly concede that Katsurabayashi does not teach the recited "participant list associated with the share view menu in response to the selection of the file", and relies on Boss for this limitation. However, the Examiner states no motivation to combine Katsurabayashi and Boss to meet the recited limitation, and fails to state a *prima facie* case of obviousness for this reason alone.

Moreover, neither Katsurabayashi nor Boss teaches anything resembling the recited share view menu. As disclosed in the application (*see, e.g.*, Specification, page 9,

Attorney Docket No. 99-820

lines 12-16; Fig. 5B), the share view menu allows selection of the participants with whom a document or file may be shared. Katsurabayashi actually teaches away from the claimed invention by disclosing that its user information management unit handles all decisions about what windows to display to each user. Katsurabayashi's disclosure thus obviates any need to display the recited share view menu. Accordingly, Katsurabayashi is incapable of any combination teaching or suggesting "a participant list associated with the share view menu in response to the selection of the file".

Neither does Boss teach the recited participant list. Boss teaches only application sharing between a host and a client, but is silent as to how the client is selected, or chosen for association with particular files. In fact, Boss teaches away from a method using the recited participant list because Boss plainly teaches sharing windows only between a host and a single client. (Abstract; *see also* Figs. 2, 7, 8, 10, and 12.) Boss, having in effect only one "participant", has no reason to even suggest "a participant list associated with the share view menu in response to the selection of the file." Boss is therefore incapable of combination with Katsurabayashi, or any other reference, for teaching this claim limitation.

Accordingly, for at least this reason alone claim 10 is in condition for allowance.

Claims 14, 15, and 17

Independent claims 14 and 17 recite "displaying the window list in a user interface." The Final Office Action (page 2) contends that Katsurabayashi would have been modified by Boss's teaching that "a host user designates an application to be shared meets this claim limitation." The Final Office Action (page 3) further contends that it would have been obvious to modify Katsurabayashi with Boss's "user designation, because this provides a more precise level of control over the exact sharing that takes place."

Applicants respectfully disagree that the Examiner's statement provides a motivation to combine Katsurabayashi and Boss. Further, it is unclear what the Final Office Action means by "a more precise level control over the exact sharing that takes place," or why one of ordinary skill would have seen such to be advantageous. Moreover, the Final Office Action provides no support in the prior art for the purported

Attorney Docket No. 99-820

motivation to combine Katsurabayashi and Boss. To the extent the Examiner intended to take Official Notice of a motivation to combine Katsurabayashi and Boss, Applicants seasonably challenge the Official Notice taken by the Examiner. *See* 37 CFR 1.104(d)(2) and MPEP §2144.03. Therefore, the Examiner is required to produce documentary proof of the motivation to combine Katsurabayashi and Boss as evidence of the Official Notice in response to this communication. In the event that the Examiner does not produce documentary proof, it is respectfully requested that the rejection be withdrawn.

Further, Boss does not in fact teach *displaying* a window list. At most, Boss teaches maintaining a window list for keeping track of application windows shared between Boss's host user and client user. (Boss, 6: 19-23; *see also* Fig. 5a, blocks 322-324.) Boss makes no teaching or suggestion that the disclosed window list is ever *displayed in a user interface*. Indeed, the purpose of Boss' windows list is to track windows that are being displayed. Boss would have no reason to *display* a windows list because all of the windows on Boss' windows list are themselves being displayed and managed by Boss' host. (Boss, 6: 15-23.)

Also, Katsurabayashi teaches away from the proposed combination with Boss. Katsurabayashi teaches a "management table" (*see* Fig. 3) that is maintained by a "user information management unit". (Katsurabayashi, 8: 24-35.) Katsurabayashi plainly teaches away from the claimed invention by disclosing that its user information management unit handles all decisions about what windows to display to each user. Katsurabayashi's disclosure thus obviates any need to display a window list. The present invention, in contrast, displays a window list in a user interface, advantageously allowing a user to select windows to be displayed to selected users. (Specification, page 9, line 4 – page 10, line 3.) Inasmuch as Katsurabayashi teaches away from a user selecting windows to be displayed, Katsurabayashi is not susceptible of the proposed combination with Boss.

For the foregoing reasons, claims 14-17 are in condition for allowance.

**Rejection of Claims 26 and 28 Over Katsurabayashi and Larson**

Independent claims 26 and 28 were rejected under 35 U.S.C. § 103(a) as obvious over Katsurabayashi in view of Larson. (Final Office Action, page 5.)

Attorney Docket No. 99-820

As argued in the Prior Remarks, the Final Office Action fails to make a *prima facie* case of obviousness in rejecting claims 26 and 28. Specifically, the Office Action does not provide support, either by way of Official Notice or citation to the prior art of record, for the assertion (page 7) that one of ordinary skill in the art would have been motivated to combine Katsurabayashi and Larson "because this better preserves the structure of a collaborative work established by Katsurabayashi for later use." The Office Action does not appear to suggest that motivation to combine Katsurabayashi and Larson is found in the prior art of record, and Applicants do not in fact believe that such motivation is found in the prior art of record. *See* MPEP § 2143.01. To the extent the Examiner has taken Official Notice of such motivation, Applicants renew their request made in the Prior Remarks (page 18) that the Examiner provide support for the combination of Katsurabayashi and Larson, as provided by 37 CFR 1.104(d)(2) and MPEP § 2144.04.

The Examiner's only response to Applicants' arguments was that Katsurabayashi and Larson is each "sufficiently related to digitally mediated collaborative work for the motivation to be present." (Final Office Action, page 9.) Even if the Examiner is correct, the Final Office Action still fails to provide any support for such a motivation in the prior art. Moreover, as explained in the Prior Remarks (page 18), Katsurabayashi and Larson are not in fact susceptible of combination. Katsurabayashi teaches a system for sharing a computer application. (Abstract.) Larson teaches a system for storing parameters relating to a video conference. (Abstract; col. 5, line 57 – col. 6, line 35.) Accordingly, the conference object disclosed by Larson (Fig. 4) simply would not have been functional in the context of Katsurabayashi's application-sharing system. Specifically, many of the fields stored in Larson's conference object, including fields in session profile 75, participant profile 76, and policy profile 79, simply would have had no applicability to Katsurabayashi's system.

Moreover, Katsurabayashi teaches enabling multiple users to participate in a single session of a computer application, a different art than Larson's disclosure of saving conference data. There is no suggestion in the prior art that one of ordinary skill would have been motivated to apply Larson's teachings in the field of saving conference data to Katsurabayashi's teaching of enabling computer application collaboration, much less than

Attorney Docket No. 99-820

one of ordinary skill *could* have done so. The fact that “each reference is . . . related to digitally mediated collaborative work”, even if true, does not change the fact that as explained above, any attempt to combine these references would render them inoperative.

For at least the foregoing reasons, independent claims 26 and 28 are in condition for allowance.

**Rejection of Claims 30 and 36-41 Over Katsurabayashi and Anderson**

Claims 30 and 36-41 were rejected under 35 U.S.C. § 103(a) as obvious over Katsurabayashi in view of Anderson.

**Independent Claim 30**

Claim 30 recites “setting a use item equal to a menu item.” As the Specification explains (page 20, lines 18-20), a use item comprises a name and a network address. As argued in the Prior Remarks and left unrebutted in the Final Office Action, rejection of claim 30 (Final Office Action, page 6) depends on the implicit assertion that Katsurabayashi’s management table comprises use items, and on the explicitly asserted equivalence of Katsurabayashi’s management table with a menu.

However, Katsurabayashi’s management table does not contain network addresses at all. (Katsurabayashi, Fig. 3.) Further, as discussed above, Katsurabayashi’s management table is actually incompatible with user selection of an item in a user interface, *i.e.*, a menu, because Katsurabayashi’s management table is a data structure used to facilitate a management unit’s determination of what windows to display to a user. As also discussed above, Katsurabayashi’s management table is never displayed in a user interface, and thus cannot be the menu recited in claim 30. Indeed, Applicants’ disclosure makes clear that the recited menu is displayed in a user interface to facilitate user selection of items. (*E.g.*, Figs. 5A – 5D.) As noted above, Katsurabayashi teaches away from such user selection. Katsurabayashi thus plainly does not read on claim 30’s limitation of “setting a use item equal to a menu item,” nor would Katsurabayashi be capable of combination for any reference that did so teach.

Anderson does not make up for Katsurabayashi’s glaring deficiencies. The Final Office Action (page 6) concedes that Katsurabayashi does not teach “determining if the

Attorney Docket No. 99-820

use item is currently in use” and “if the use item is not in use, setting a label of the use item to the target name; setting an address of the use item to the associated network address; and enabling use of the use item.” However, as argued in the Prior Remarks, the Examiner’s rejection of claim 30 (Final Office Action, page 7) asserts that Anderson teaches at most “activation of a shared application” (emphases in original), failing to address specifically the afore-mentioned limitations of claim 30. Anderson clearly fails to teach the recited menu item, much less setting a use item equal to a menu item. The Examiner responded to this argument by asserting that “the Anderson interface provides direct user access to a collection of display objects indicating connectivity status. One that is indeed connected corresponds to a ‘use’ at that menu item.” (Final Office Action, page 10.)

Applicants respectfully submit that the Final Office Action fails to address their arguments. The mere fact that Anderson teaches application sharing and further discloses displaying connectivity status says nothing about whether Anderson meets the limitations of “determining if the use item is currently in use” and “if the use item is not in use, setting a label of the use item to the target name; setting an address of the use item to the associated network address; and enabling use of the use item.” Anderson simply says nothing directed toward these limitations, and the Final Office Action wholly fails to address them.

Further, Applicants renew their argument (Prior Remarks, page 19), unrebutted in the Final Office Action, that Anderson is incapable of any combination incorporating the limitations of claim 30. Anderson is directed toward exchanging messages over a network in order to activate application sharing (Abstract; col. 3, lines 3-22), but teaches nothing about how network addresses are selected for application sharing, as is plainly required by claim 30 read in light of the specification. In fact, Anderson’s disclosure assumes that a connection between a host computer and a guest computer has been established, and provides a mechanism for activating applications shared between the two. (E.g., col. 3, lines 3-63.) Thus, Anderson certainly could not make any teaching directed toward setting a use item equal to a menu item, or determining if a use item, *i.e.*, a name, network address pair, was currently in use.

For at least the foregoing reasons, claim 30 is in condition for allowance.



Attorney Docket No. 99-820

Independent Claims 36 and 39

Claims 36 and 39 were each rejected under 35 U.S.C. § 103 over Katsurabayashi in view of Anderson. (Final Office Action, page 7.) These claims each require “a call manager configured to maintain status information regarding the connectivity, the status information including current number of active participants.”

The Final Office Action (page 7) asserts that Anderson suggests the “call manager” recited in claims 36 and 39 because Anderson teaches displaying “status information regarding the connectivity” of an application sharing program.” As Applicants argued in the Prior Remarks (page 20), the Specification explains (page 23, lines 4-14) that the call manager is well known in the art. However, the prior art does not teach or suggest using the call manager in the novel way recited in claims 36 and 39. In particular, sharing applications as taught in Anderson is different from managing a call with multiple participants as recited in claim 36. At a minimum Anderson does not teach “the status information including the current number of participants” as recited in claims 36 and 39. Indeed, Anderson cannot even suggest such a teaching because Anderson is not directed toward the field of conferencing participants, but rather is directed only toward sharing applications between computers.

The Examiner responded to this argument (Final Office Action, page 10) by asserting that

in conjunction with the management table of Katsurabayashi, in which participants are coordinated with a window, Anderson indeed contains the needed suggestion of showing connection status in a graphical display, even if the **explicitly** shown embodiment is in “sharing applications” and not “conferencing participants.”

However, the Examiner wholly failed to address the specific deficiency of Anderson identified by Applicants: Anderson does not teach, and cannot suggest, “the status information including the current number of participants.” Showing status information pertaining to shared computer applications had nothing to do with displaying the number of participants on a call. Because Anderson is directed toward sharing computer applications and not toward managing a call with multiple participants, Anderson is incapable of reading on claims 36 and 39.

Attorney Docket No. 99-820

For at least the foregoing reason, claims 36 and 39 are in condition for allowance.

### CONCLUSION

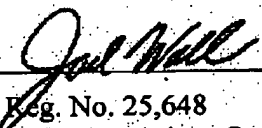
Applicants respectfully submit that all pending claims are distinguished over the cited prior art and are in condition for allowance. If the Examiner has any questions or issues relating to Applicants' response, he is encouraged to telephone the undersigned representative.

Any fees associated with the filing of this paper should be identified in an accompanying transmittal. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge Deposit Account No. 07-2347. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to the foregoing deposit account number.

Respectfully submitted,

Date: August 27, 2004

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